

Message Text

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ACTION EB-07

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P R 212004Z JAN 76

FM AMEMBASSY MEXICO

TO AMEMBASSY BOGOTA PRIORITY

INFO US CUSTOMS HQ WASHDC - INVESTIGATIONS

SECSTATE WASHDC 2519

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EO 11652: NA

TAGS: OTRA/MX

SUBJECT: VISIT FO CUSTOMS OFFICERS

REF A. BOGOTA 435, 248, B. MEXICO 436, 183,

1. TO CLARIFY PURPOSE OF VISIT AND ANSWER QUESTIONS SENT FORTH IN BOGOTA 435, IT WOULD BE INTENTION OF CUSTOMS OFFICER TO INTERVIEW MANAGMENTS RATHER THAN EMPLOYEES OF COMPANIES MENTIONED AND EXAMINE THEIR BOOKS, IF POSSIBLE, TO EXTENT OF VERIFYING PRICES, TO INCLUDE PROFIT AND EXPENSES. COMPANIES USUALLY HAVE PRICE LISTS FOR EXPORT BASED ON QUANTITY PURCHASED WHICH WOULD CONTAIN MUCH OF NEEDED INFORMATION.

2. COMPANIES ARE UNDER NO OBLIGATION TO COOPERATE OR PERMIT INTERVIEWS AND THERE IS NO RECOURSE (SUCH AS FINES OR PENALTIES) AGAINST EXPORTING COMPANY FOR FAILURE TO COOPERATE. HOWEVER, IF INFORMATION NECESSARY TO DETERMINE CORRECT DUTIABLE VALUES CANNOT BE OBTAINED FROM EXPORTER, THEN CLASSIFICATION AND APPRAISEMENT OF SUBJECT MERCHANDISE WOULD BE PERFORMED BY ANY OTHER REASON-ABLE METHOD. THIS MAY RESULT IN SEIZURE OF MERCHANDISE, MONETARY PENALTY, AND OTHER CIVIL AND CRIMINAL ACTION AGAINST THE US IMPORTER AND MAY RESTRICT OR ELIMINATE BUSINESS BETWEEN TWO COMPANIES.

3. RECORDS AVAILABLE TO THE CA, MEXICO, INDICATE THAT THE LAST SHIPMENT OF SHOES FROM COMPANIA EXPERTADORA E IMPORTADORA WAS ON JANUARY 15, 1974. INFORMATION OBTAINED CONCERNING THE ABOVE
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SHIPMENT MAY ASSIST US CUSTOMS IN DETERMINING WHETHER SIMILAR CONVICT

MADE MERCHANDISE COULD BE ENTERED INTO U.S.

4. TO CLARIFY PHRASE "OBTAINING INTELLIGENCE ON NEUTRALITY", IT WOULD BE DESIRABLE TO MEET WITH OFFICIALS OF NATIONAL POLICE AND CUSTOMS IN AN EFFORT TO OBTAIN LISTS OF US MADE WEAPONS SEIZED IN COLOMBIA.

5. COMPLETE DESCRIPTIONS OF THESE WEAPONS MAY ENABLE US CUSTOMS TO IDENTIFY THE US OWNER AND/OR EXPORTER AND DETERMINE IF THE WEAPONS WERE ILLEGALLY EXPORTED FROM THE US. (VIOLATION OF TITLE 22 USC, SECTION 1934.)

6. IN REFERENCE TO ITEM 6 OF MEXICO 436 AND 1-E OF BOGOTA 435, INTERVIEW WOULD BE CONDUCTED VIA AN APPOINTMENT WITH MANAGEMENT AT COMPANIES' PREMISES, IF POSSIBLE. PURPOSE OF THE INVESTIGATION AND QUESTIONS CONCERNING EACH COMPANY ARE AS FOLLOWS: A) COMPANIA MANUFACTURERA COLOMBIANA, LTDA., BARRANQUILLA; DETERMINE IF UNIT PRICE OF \$10.472 US\$ PER PIECE OF 99L WEARING APPAREL EXPORTED ON 4/27/73 TO WINN INDSUTRIES INCLUDES GENERAL EXPENSES AND PROFIT EQUAL TO THAT USUALLY REFLECTED IN SALES OF THAT TYPE OF MERCHANDISE BY OTHER COLOMBIAN PRODUCERS. THIS INFORMATION WILL ENABLE US CUSTOMS OFFICERS TO MAKE AN ACCURATE APPRAISEMENT OF THIS AND SIMILAR MERCHANDISE; B) JOANNE FASHIONS, S.A., MANIZALES-TO DETERMINE IF WOMEN'S WEARING APPAREL EXPORTED TO COLOMBIA ORIGINALS, NEW YORK, DURING 1972 FALLS WITHIN THE PROVISIONS OF ITEM 807 OF THE TARIFF SCHEDULES OF US, (I.E. AMERICAN GOODS ASSEMBLED ABROAD). IN ANSWERING THE ABOVE, IT WOULD BE NECESSARY TO (1) DETERMINE THE RELATIONSHIP BETWEEN THE MANUFACTURER AND IMPORTER (I.E. BUYER/SELLER OR RELATED FIRMS); (2) VERIFY ACCURACY OF ALL COSTS AND CHARGES NOTED IN INVOICES SUBMITTED BY IMPORTER UPON ENTRY OF THE MERCHANDISE; AND (3) DETERMINE IF THE MERCHANDISE IS ACTUALLY ASSEMBLED FROM US COMPONENTS; C) JOSE A. GOMEZ Y CIA LTDA., AND MODAS INTERCONTINENTAL, BUCARAMANGA. CONCERNING LEATHER HANDBAGS AND LUGGAGE EXPORTED BY ABOVE FIRMS TO IMPORTS LTD., WASH DC, DURING 1972. IN ORDER TO DETERMINE CORRECT DUTIABLE VALUE OF THE MERCHANDISE, IT WOULD BE NECESSARY TO DETERMINE THE FOLLOWING FROM THE EXPORTER OR EXPORTERS; 1) DOES IMPORTER RECEIVE SPECIAL PRICES DUE TO VOLUME PURCHASES? 2) WHAT IS RELATIONSHIP BETWEEN THE TWO FIRMS IN BUCARAMANGA? 3) WHAT ARE THE PRICES THAT THE SELLER OFFERS FOR VARIOUS QUANTITIES PURCHASED? 4) WHAT FINANCIAL OR LIMITED OFFICIAL USE

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OTHER INTEREST DOES THE EXPORTING FIRMS HAVE WITH THE IMPORTER? 5) ARE THERE ANY DISCOUNTS, OTHER THAN THOSE BASED ON QUANTITY, OFFERED TO THE IMPORTER? 6) COULD ANYONE BUY FROM THE FIRMS FOR EXPORT, OR ARE SALES RESTRICTED TO IMPORTA LTD.?

8.CA, MEXICO UNDERTANDS THAT VISIT WILL HAVE TO BE COORDINATED WITH APPROPRIATE GOB OFFICIALS AND THAT EMBASSY OFFICIAL WILL PARTICIPATE IN OFFICIAL CALLS, HOWEVER, FUNDING OF OFFICIAL TRAVEL BY EMBASSY OFFICER WITHIN COLOMBIA CANNOT BE AUTHORIZED BY CA, MEXICO. IF

EMBASSY DEEMS SUCH TRAVEL NECESSARY AND CANNOT PROVIDE FUNDS, CA
WILL SEEK AUTHORIZATION FOR THIS EXPENDITURE FROM CUSTOMS HEADQUARTERS,

WASH. DC.

8. IF EMBASSY CONCURS, MR. EWING WOULD TRAVEL TO BOGOTA ON
FEBRUARY 2, 1976. RESERVATIONS ARE PENDING.

9. DECLASSIFY UPON RECEIPT.
THOMPSON

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